



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/011,023	11/02/2001	Laurent Scallie	ATL-P2	7571

26793 7590 03/28/2003

LEIGHTON K. CHONG  
OSTRAGER CHONG & FLAHERTY (HAWAII)  
841 BISHOP STREET, SUITE 1200  
HONOLULU, HI 96813

EXAMINER

JONES, SCOTT E

ART UNIT	PAPER NUMBER
----------	--------------

3713

DATE MAILED: 03/28/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/011,023

Applicant(s)

SCALLIE, LAURENT

Examiner

Scott E. Jones

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 November 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.                      6) ☐ Other:

## **DETAILED ACTION**

### ***Specification***

1. The abstract of the disclosure is objected to because it exceeds 150 words as required by 37 C.F.R. § 1.72(b). Correction is required. See MPEP § 608.01(b).

2. The disclosure is objected to because of the following informalities:

- information is missing on page 8, line 29.
- information is missing on page 11, line 9.

Correction is required.

### ***Claim Objections***

3. It is noted that claim 7 recites “the Internet”. While the term “Internet” is trademarked for goods and services, it is not presently trademarked for the service of a computer network. However, it is a term that is relative given both the rate at which technology is evolving, and misuse by modern media. The Internet is an infrastructure that supports the transmission of electronic data. It consists of all servers, routers, telephone lines, satellites, and other communications instruments used to convey electronic data, including Web sites, e-mail, usenets, and newsgroups, from one point to another. By using the term Internet, Applicant must be careful to delineate whether intending to claim the infrastructure of the Internet, or use of the infrastructure. Furthermore, what is accepted as the conventional scope of the Internet today, in terms of infrastructure, is quite different from that which was accepted as briefly as five years ago, and it is unknown what will be accepted as the “Internet” of tomorrow. For these reasons, it is strongly urged that Applicant consider using more generic computer network terminology to claim the invention.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 2, 5, and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 2 recites the limitation "the log files" in line 3. There is insufficient antecedent basis for this limitation in the claim. Applicant claims a computer generates "a log file" (singular) in line 2, but then recites "the log files" (plural) in line 3.

7. Claim 5 recites the limitation "the common activation, termination, and control logic for the game" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

8. Regarding Claim 9, lines 2-4, the language, "seeing how their buddies are doing" is unclear. How does a player see how their buddies are doing?

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Wain (4,335,809).

Wain discloses a system and method for both gaming and non-gaming amusement machines (satellite computers) linked via a communications network to a main control device

Art Unit: 3713

(mission control), wherein the gaming and non-gaming amusement machines can be controlled independently or collectively to play one of a plurality of games by the main control device

(mission control). Wain additionally discloses:

Regarding Claims 1 and 10:

- a mission control computer (30) which operates administrative programs for performing administrative functions for multiple game playing stations connected by the network (Figure 1) ;
- a plurality of game playing satellite computers (22) provided at respective game playing stations each maintaining a plurality of game programs (Figure 1);
- a network (2) connecting the mission control computer to the plurality of game playing satellite computers (Figure 1, and Column 6, line 33-37),
- wherein said mission control computer includes a mission control program for controlling the plurality of games available to be played on the game playing satellite computers by issuing generic control commands to the game playing satellite computers (Column 3, line 17-29), and
- wherein each of said game playing satellite computers includes a satellite game control program for controlling each of the plurality of game programs available to be played on the satellite computer by receiving a generic control command to start a selected game program issued by said mission control computer and loading in response thereto a game-specific command set corresponding to the selected game program, and by providing said mission control computer with a status report of the status of the selected game program being played on the satellite computer (Abstract,

Art Unit: 3713

Column 2, line 57-Column 4, line 3, Column 7, line 13-23, and Column 7, lines 37-45).

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 2, 3, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wain (4,335,809) in view of Acres (U.S. 6,431,983).

Wain discloses that as discussed above regarding claims 1 and 10. Wain seems to lack explicitly disclosing:

Regarding Claims 2 and 11:

- a game program on a satellite computer generates a log file tracking the operation of the game program, and said satellite game control program parses the log files for predetermined keywords indicative of desired status information and provides the status information to the mission control program.

Regarding Claims 3 and 12:

- a game program on a satellite computer generates one or more of the following sources of information tracking the operation of the game program, and said satellite game control program parses the source of information for desired status information and provides the status information to the mission control program: game log files; dialog boxes or windows opened by the game program; messages from the

Art Unit: 3713

Notification API; and a method used by the game program for external communications.

Acres teaches of a method and system for providing an incentive to play gaming devices connected by a network to a host computer. The system additionally tracks player activity via a smart card inserted by the player into the gaming machines. Acres and Wain are clearly analogous art because both relate to gaming machines connected to a host computer via a network. Furthermore, Acres teaches:

Regarding Claims 2 and 11:

- a game program on a satellite computer generates a log file tracking the operation of the game program, and said satellite game control program parses the log files for predetermined keywords indicative of desired status information and provides the status information to the mission control program (Column 31, line 9-Column 32, line 48).

Regarding Claims 3 and 12:

- a game program on a satellite computer generates one or more of the following sources of information tracking the operation of the game program, and said satellite game control program parses the source of information for desired status information and provides the status information to the mission control program: game log files; dialog boxes or windows opened by the game program; messages from the Notification API; and a method used by the game program for external communications (Column 31, line 9-Column 32, line 48).

Art Unit: 3713

It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate the log file tracking features of Acres in Wain. One would be motivated to do so because this would enhance Wain's system to operate administrative programs, such as scheduling the transfer of new game or programming information, in an efficient manner.

13. Claims 4-9 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wain (4,335,809) in view of Ehrman (U.S. 5,984,786).

Wain discloses that as discussed above regarding claims 1 and 10. Wain seems to lack explicitly disclosing:

Regarding Claims 4 and 13:

- wherein the satellite game control program maintains a database of game-specific command sets for each of the game programs offered on the satellite computer, and, when a control command is issued by the mission control computer to start a particular game, the satellite control program loads the corresponding game-specific command set from its database.

Regarding Claims 5 and 14:

- wherein said game-specific command sets are derived by analyzing each game program and determining the common activation, termination and control logic for the game.

Regarding Claim 6:

- wherein said mission control program maintains a database of game data based upon information provided by the satellite game playing computers, and generates one or



Art Unit: 3713

more administrative reports from the group consisting of: system-wide gaming reports; membership and player statistics; detailed statistics on specific games played by specific players; current status of the system, hardware, and software troubleshooting.

Regarding Claim 7:

- wherein a plurality of mission control computers are maintained at respective mission control sites and are connected via a network to a network server that provides an online interface of the mission control system to the Internet.

Regarding Claim 8:

- wherein said network server includes a master database for replicating game data from the mission control sites.

Regarding Claim 9:

- wherein said online interface allows players to perform one or more activities of the group consisting of: looking up statistics for games they have played; seeing how their buddies are doing; seeing statistics for comparison at other sites; downloading statistics for their own later use; maintaining their accounts; joining or maintaining their status with a group of players; and communicating with other players.

Ehrman teaches of a run-time environment for multi-player, networked games which can be used to run many different types of games. The game model includes a database which stores the objects and their properties as well as the rules of the specific game, where the rules are to be executed on the objects and their properties. Ehrman and Wain are clearly analogous art because

Art Unit: 3713

both relate to gaming machines connected to a host computer via a network. Furthermore,

Ehrman teaches:

Regarding Claims 4 and 13:

- wherein the satellite game control program maintains a database of game-specific command sets for each of the game programs offered on the satellite computer, and, when a control command is issued by the mission control computer to start a particular game, the satellite control program loads the corresponding game-specific command set from its database (Abstract, Figures 1, 3A, 3B, Column 1, line 56-Column 2, line 54).

Regarding Claims 5 and 14:

- wherein said game-specific command sets are derived by analyzing each game program and determining the common activation, termination and control logic for the game (Abstract, Figures 1, 3A, 3B, Column 1, line 56-Column 2, line 54).

Regarding Claim 6:

- wherein said mission control program maintains a database of game data based upon information provided by the satellite game playing computers, and generates one or more administrative reports from the group consisting of: system-wide gaming reports; membership and player statistics; detailed statistics on specific games played by specific players; current status of the system, hardware, and software troubleshooting (Column 7, line 64-Column 8, line 10, and Column 8, lines 22-34).

Regarding Claim 7:

Art Unit: 3713

- wherein a plurality of mission control computers are maintained at respective mission control sites and are connected via a network to a network server that provides an online interface of the mission control system to the Internet (Abstract, Figures 1, 3A, 3B, Column 1, line 56-Column 2, line 54) .

Regarding Claim 8:

- wherein said network server includes a master database for replicating game data from the mission control sites (Abstract, Figures 1, 3A, 3B, Column 1, line 56-Column 2, line 54).

Regarding Claim 9:

- wherein said online interface allows players to perform one or more activities of the group consisting of: looking up statistics for games they have played; seeing how their buddies are doing; seeing statistics for comparison at other sites; downloading statistics for their own later use; maintaining their accounts; joining or maintaining their status with a group of players; and communicating with other players (Column 7, line 64-Column 8, line 34).

It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate the database features of Ehrman in Wain. One would be motivated to do so because this allows for a master set of rules and graphics, etc. to be stored in a database residing on a host computer and automatically updating player's gaming machines when a particular game is selected to be played via a network connection.

Art Unit: 3713

***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tashiro et al. '199, Tillery et al. '155, Sitrick '509, Ng '855, Harlick '951, Ohashi et al. '476, Eiba '516, Norman et al. '305, Fennell, Jr. et al. '400, Perlman '257, Takenouchi et al. '528, Hilgendorf et al. '800, Hallman Jr. et al. '549, Sabaliauskas '510, Richardson '887, Ishida '638, Hagiwara '907, Troy et al. '197, Lucero et al. '709, Sonoda et al. '068, and Martin '765 disclose systems and methods for gaming machines connected via a computer network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (703) 308-7133. The examiner can normally be reached on Monday - Friday, 8:30 A.M. - 5:30 P.M..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (703) 308-4119. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

SEJ

sej

March 19, 2003

  
S. THOMAS HUGHES  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700